

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2021-76-E ORDER NO. 2021-59-H

MAY 5, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Application of Duke Energy Carolinas, LLC ("DEC") for Approval of Demand-Side Management and Energy Efficiency Rider 13, Decreasing Residential Rates and Increasing Non-Residential Rates

MATTER UNDER CONSIDERATION:

Petition to Intervene of Walmart Inc.

CHIEF HEARING OFFICER'S ACTION:

This matter comes before the Chief Hearing Officer on the Petition to Intervene of Walmart Inc. ("Walmart"). No objections to the Petition to Intervene have been filed.

Under Commission regulation, the Commission must determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the SC Public Service Commission must set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

Walmart clearly sets out the facts from which the nature of the right or interest can be determined, the grounds of the proposed intervention, and its position in this case. Walmart notes that it is a global retailer of goods and services and also operates throughout the United States, including the State of South Carolina. Walmart further points out that it is a large commercial customer of Duke Energy Carolinas, LLC. In addition, Walmart states that it has approximately 39 facilities in South Carolina that are served by DEC, which include Walmart Supercenters, Sam's Clubs, and gas stations. Walmart also asserts that it purchases more than 100 million kWh annually from DEC. Walmart states further that electricity is one of the largest operating costs faced by Walmart. As a result, according to Walmart, any modification to DEC's electric rates and terms of service has the potential to substantially impact Walmart's operations in South Carolina. Further, Walmart points out that it is dedicated to its own investment in Demand Side Management ("DSM") and energy efficiency ("EE") and therefore is very interested in this case and has participated in similar cases in the past. As such, Walmart states that it

has a direct and substantial interest in the outcome of this proceeding. In addition, as a large commercial customer that purchases substantial amounts of electric and related services from DEC pursuant to multiple accounts at multiple locations, Walmart asserts that it has an interest in this proceeding that is not represented by any other party.

Pursuant to these facts, this Hearing Officer holds that Walmart Inc. has successfully satisfied the criteria for intervention stated in the Commission Regulation. Its interest in this matter can clearly be discerned, as can the grounds for the intervention. Further, its position is clearly stated.

As previously noted, there are no objections to the intervention. Accordingly, the Petition to Intervene of Walmart, Inc. is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.